

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KUNIO SEKIYA

Serial No: 09/486,483

Filed: March 23, 2001

For: METHOD OF PREVENTING
CONTAMINATION OF CANVAS USED
IN PAPER MACHINE



Case No.: 24555-001

Art Unit: 1731

Examiner: Mark Halpern

MS Petition

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

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OFFICE OF PETITIONS

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

1. The above-identified application became abandoned for failure to file a proper reply to a notice or action by the United States Patent and Trademark office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

2. This petition is filed within one year of the date of abandonment.

3. This application became abandoned unintentionally, because the Submission of Color Photographs Pursuant To 37 C.F.R §1.84 filed October 2, 2003, treated therein as a petition to accept color drawings or photographs under 37 C.F.R §1.84 was denied and the period for reply to the Office letter mailed September 26, 2003 for which the submission was in response to was unextendable.

4. Applicant was directed to correct informalities as indicated in the Notice to File Corrected Application Papers mailed September 26, 2003 and given 30 days to do so. Failure to reply would result in abandonment.

5. Accordingly, Applicant timely filed on October 2, 2003 a "Submission of Color Photographs Pursuant to 37 CFR 1.84 which included as requested in the Notice: 1) "Figure 11-15 appear to be color photographs. Please supply three

copies;" and 2) "on page 7 please supply statement which cites color photographs in file."

6. Applicant called the USPTO and left a message for RoChaun M. Johnson and spoke with a RoChaun M. Johnson on October 17, 2003 to learn that she had received the photographs.

7. Applicant again spoke with Ms. Johnson on October 27, 2003 and was told no Petition was needed and that the case was fine.

8. Subsequently, Applicant spoke with supervisory patent examiner Steven P. Griffin and was told that a Petition was required and that he would treat the Submission as such. Furthermore, a Decision on Petition was mailed March 4, 2004 and the Petition was denied because it did not amend the specification to include the language set forth in 37 C.F.R. 1.84 (a)(2)(iv) and did not provide an explanation stating why color photographs were necessary. Accordingly, a Notice of Abandonment was mailed on April 15, 2004.

9. A Petition to Accept Color Drawings or Photographs under 37 C.F.R §1.84(a)(2) and (b)(2) is enclosed herewith. Accordingly, the Petition states that it is for the acceptance of color photographs, it amends the specification to include the language set forth in 37 CFR § 1.84(a)(2)(iv) and it provides an explanation stating why color photographs are necessary. The Petition Fee under 37 CFR 1.17(h), was previously charged to Deposit account 501447 (Potter Anderson & Corroon LLP).

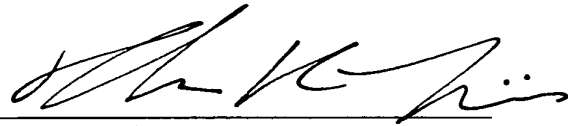
10. As noted in the Decision on Petition the "petition (submission), which was submitted in response to the office letter mailed September 26, 2003, includes (1) the fee as required by 37 CFR 1.17(h) [note – the fee has been charged to applicant's deposit account as authorized in the submission] and (2) three sets of the color photographs." Accordingly, Applicants have not included the petition fee nor have they included the color photographs.

11. In November, 2004 Applicant called the USPTO helpline and confirmed that resubmission of the color photos was not needed so long as a clear paper trail was made in the Petition so that the papers could be matched up properly.

12. The fee for Petition to Revive Unintentionally Abandoned Application under 37 CFR 1.17(m), of \$1,370.00 is hereby authorized to be charged to Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

It is Applicants belief that there are no other fees associated with this submission, however, should an additional fee be due please charge such fee to Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas R. Mancini', written over a horizontal line.

Thomas R. Mancini
Attorney for Applicant(s)
Reg. No. 50,157
Telephone: (302) 984-6127
Facsimile: (302) 658-1192

Date: December 3, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KUNIO SEKIYA

Serial No: 09/486,483

Filed: March 23, 2001

For: METHOD OF PREVENTING
CONTAMINATION OF CANVAS USED
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Case No.: 24555-001

Art Unit: 1731

Examiner: Mark Halpern

MS Petition

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PETITION TO ACCEPT COLOR DRAWINGS OR PHOTOGRAPHS(37 C.F.R. § 1.84(a)(2) and (b)(2))

1. This petition is for the acceptance of color:
[] drawings. (37 C.F.R. § 1.84(a)(2))
[X] photographs. (37 C.F.R. § 1.84(b)(2))
2. Submitted on October 2, 2003 were three (3) sets of color:
[] drawings.
[X] photographs.
3. Please amend the specification at page 7 between lines 26 and 27 after the heading BRIEF DESCRIPTION OF DRAWINGS, by inserting the following language:

"The patent or application file contains at least one drawing/photograph executed in color. Copies of this patent or patent application publication with color drawing(s)/photograph(s) will be provided by the Office upon request and payment of the necessary fee."

4. The reason(s) for the need for color drawings or photographs in this application is/are as follows:

Drawings, either color or black and white, are insufficient to adequately depict an accurate representation of the disclosed subject matter of Figures 11-15. Further drawings would not provide the public or the Examiner with the proper perspective

U.S. Serial No.: 09/486,483
Attorney's Docket No.: 24555-001

as to the effectiveness of the present invention at controlling contaminants. Therefore, the color photographs are necessary because they are the only practical medium to clearly show the present invention.

Figure 11 shows the lack of clogging of the eyes of the canvas, and the lack of stain of the paper caused by the contaminant and the silicone oil contained in the surface treatment agent.

Figure 12 shows the lack of accumulation of the containment on the surface of the outroll as well as the lack of stains on the paper caused by the contaminant and the silicone oil.

Figure 13 shows the adhesive material clogging the eyes of the canvas, in a number of parts thereof.

Figure 14 shows the adhesive material lumps that accumulated on the surface of the outrolls.

Figure 15 shows the results of a comparison of embodiment 1 with that of comparative example 3, wherein the constituents of the contaminant were sampled by applying a polyester adhesive tape to the surface of the canvas.

5. As noted in the Decision on Petition the "petition (submission), which was submitted in response to the office letter mailed September 26, 2003, includes (1) the fee as required by 37 CFR 1.17(h) [note – the fee has been charged to applicant's deposit account as authorized in the submission] and (2) three sets of the color photographs." Accordingly, Applicants have not included the petition fee nor have they included the color photographs.
6. In November, 2004 Applicant called the USPTO helpline and confirmed that resubmission of the color photos was not needed so long as a clear paper trail was made in the Petition so that the papers could be matched up properly.
7. Should there be any additional fees required by this paper or credit for any overpayment authorization is hereby given to charge Deposit Account 501447.

Respectfully submitted,



Thomas R. Mancini, Esquire 50,157
Attorney for Applicants
POTTER ANDERSON & CORROON LLP
P.O. Box 951
Wilmington, DE 19899-0951
Phone (302) 984-6127
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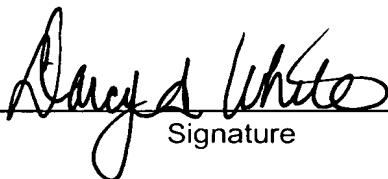


Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on December 3, 2004
Date



Signature

Darcy A. White

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

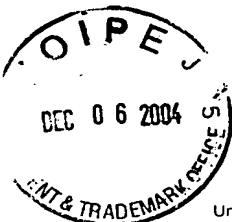
Application No: 09/486,483

Filing Date: March 23, 2001

Title: Method Of Preventing Contamination of Canvas Used in Paper Machine

Attorney Docket: 24555-001

- Transmittal Form
- Fee Transmittal
- Petition for Revival Of An Application For Patent Abandoned Unintentionally
- Petition to Accept Color Drawings Or Photographs
- Receipt Card



Please type a plus sign (+) inside this box →



PTO/SB/21(08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/486,483	
	Filing Date	March 23, 2001	
	First Named Inventor	Kunio Sekiya	
	Group Art Unit	1731	
	Examiner Name	Mark Halpern	
Total Number of Pages in This Submission	8	Attorney Docket Number	24555-001

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Revival <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none">• Petition to Accept Color Drawings or Photographs• Certificate of Mailing• Receipt Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas R. Mancini, Registration No. 50,157
Signature	
Date	December 3, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Darcy A. White		
Signature		Date	December 3, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.



FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1370.00

Complete if Known

Application Number 09/486,483
Filing Date March 23, 2001
First Named Inventor Kunio Sekiya
Examiner Name Mark Halpern
Group / Art Unit 1731
Attorney Docket No. 24555-001

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

501447

Deposit
Account
Name

Potter Anderson & Corroon LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	770	201	385	Utility filing fee	
106	340	206	170	Design filing fee	
107	530	207	265	Plant filing fee	
108	770	208	385	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	=	18	=
Independent Claims	=	86	=
Multiple Dependent	=	280	= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	86	202	43	Independent claims in excess of 3
104	290	204	145	Multiple dependent claim, if not paid
109	86	209	43	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	420	216	210	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,480	218	740	Extension for reply within fourth month	
128	2,010	228	1,005	Extension for reply within fifth month	
119	330	219	165	Notice of Appeal	
120	330	220	165	Filing a brief in support of an appeal	
121	290	221	145	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,330	241	665	Petition to revive - unintentional	1370.00
142	1,330	242	665	Utility issue fee (or reissue)	
143	480	243	240	Design issue fee	
144	640	244	320	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	770	246	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	770	249	385	For each additional invention to be examined (37 CFR § 1.129(b))	
179	770	279	385	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1370.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thomas R. Mancini, Esquire	Registration No. Attorney/Agent	50,157	Telephone	(302) 984-6127
Signature				Date	December 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.